



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270

April 21, 2020

Mr. Jeff Ballard
President and CEO
Texas GulfLink, LLC
8333 Douglass Ave, Ste 400
Dallas, TX 75225

RE: Notice of Intent Under Clean Air Act (CAA) Section 112(g) Case-by-Case Maximum Achievable Control Technology (MACT) Determination

Dear Mr. Ballard:

On March 24, 2020, the United States Environmental Protection Agency (EPA) determined that Texas GulfLink (TGL) submitted an *administratively complete* application for a CAA Section 112(g) MACT determination. In accordance with Title 40 Code of Federal Regulations (40 CFR) Section 63.43(f)(2), this letter serves as notice that EPA cannot initially approve TGL deep water port (DWP) facility's MACT application as currently submitted.

Please be aware that our review of the application is ongoing and that this notice of intent is not a final agency action or a final determination on your application. Instead, this notice triggers a 60-calendar day period during which TGL has an opportunity to submit in writing additional information or arguments pertaining to, or amendments to, the application in order to address EPA's concerns regarding your Section 112(g) case-by-case MACT application. We have provided the following to help you address our concerns.

1. Please delineate and characterize all design limitations and operational restrictions specifically identified from your engineering assessments conducted to evaluate the feasibility of capture and control of vapors for the TGL DWP proposed platform-based loading operation for the project. Be sure to address the following with supporting documentation:
 - a. TGL project-specific design criteria and calculations that substantiate your reasoning for concluding that certain vapor capture and control technologies (e.g., combustion technologies ensuring 95% control efficiency) or certain elements of the implementation of such capture and control technologies are not possible or are not transferrable to your proposed platform-based project.
 - b. Other federal agency safety related regulatory requirements or guidelines specifically supporting the TGL project-specific technical specifications in the proposed Section 112(g) application that would eliminate the feasibility and/or consideration of vapor capture and control from your platform-based design. Please include a detailed explanation of how your engineering assessment concluded that vapor capture and

control could not be safely implemented in your platform-based design. If other federal agency related requirements or guidelines do not prohibit vapor capture and control, please include any cost estimates that we should consider as part of your Section 112(g) case-by-case MACT determination to safely implement vapor control technology.

- c. Vapor capture and control technology evaluations should also be supported by an assessment of TGL's project-specific ability to address issues commonly found at other marine vessel crude oil loading operations: preventative measures and handling of vapor condensation in lines, thermal vapor destruction inefficiencies due to project-specific considerations, and the means by which the vapors are moved/routed most effectively to control devices or other process units for emissions control specific to your proposed design. Include your project specific considerations on buoy and/or platform space necessary to route vapors and implement such controls. Identify any associated vapor movement, vapor management concerns, condensation management, supporting fuel storage equipment needs, and supporting supply cost estimates.
2. Include in your analysis the emissions reductions reasonably expected through the identified control technologies and the costs (including cost per ton) of emissions reduced.

Within 30 days after receiving a response from TGL or within 90 days after issuance of this notice (i.e., July 21, 2020), *whichever is earlier*, the EPA will determine whether to initially approve or not approve the application.

Please note that if EPA cannot approve your application, TGL may submit a subsequent application concerning construction or reconstruction of the same major source, provided that the subsequent application has been amended in response to the stated grounds for the prior disapproval. See 40 CFR Section 63.43(f)(5). If you have any questions, please feel free to contact Ms. Cynthia Kaleri, Air Permits Section Chief, at (214) 665-6772, or Mr. Brad Toups, the permit engineer for this project, at (214) 665-7258.

Sincerely,

4/21/2020

X 

David F. Garcia, P.E.

Signed by: DAVID GARCIA
Director
Air and Radiation Division